

**KUNA CITY COUNCIL MEETING
MINUTES
JUNE 15, 2010
KUNA CITY HALL COUNCIL CHAMBER, 763 W. AVALON**

1. 7:00 p.m. – REGULAR COUNCIL MEETING

M/Dowdy called the meeting to order at 7:05 p.m.

PRESENT: Mayor Dowdy, Council President Bachman, Councilmember Cardoza and Councilmember Hoiland. Councilmember Lang was excused.

ALSO PRESENT: City Attorney Richard Roats; City Engineer Gordon Law; Planning & Zoning Director Steven Hasson; City Treasurer John Marsh; Senior Planner Troy Behunin and City Clerk Lynda Burgess.

2. INVOCATION: The Invocation was given by Ass't. Minister Marcus Omdahl, New Beginnings Christian Church

3. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Dowdy.

4. CONSENT AGENDA:

Mayor Dowdy announced that CT/Marsh contacted him prior to the meeting and indicated he would be about an hour late to the meeting. If there are any questions about Accounts Payable, it will have to be set aside until CT/Marsh arrives.

Moved by C/Bachman, seconded by C/Hoiland to approve the Consent Calendar. Motion carried by the following Roll Call vote:

AYES: Cardoza, Hoiland, Bachman
NOES: None
ABSENT: Lang

~~A. APPROVE MINUTES OF REGULAR MEETING OF JUNE 1, 2010 (Removed from the Agenda as they are not ready).~~

B. APPROVED ACCOUNTS PAYABLE DATED JUNE 11, 2010 IN THE AMOUNT OF \$258,891.02.

C. APPROVED BUSINESS LICENSE FOR CHARLES R. TILLMAN AND TORY DON BATEMAN, "SHOOTERS GUNS AND AMMO, INC.," 219 KAY AVE., SUITE 247.

- D. APPROVED BUSINESS LICENSE FOR MELISA COATES, "CANYON AREA TRANSIT, LLC," 640 N. FLAUSON AVE.
- E. ADOPTED RESOLUTION R20-2010 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE CONSENT TO USE CONTRACT NO. 10-07-11-L2904 WITH THE BUREAU OF RECLAMATION TO ESTABLISH CONDITIONS TO ALLOW CITY TO CROSS TEED LATERAL AT BOISE STREET WITH A PRESSURE IRRIGATION LINE.
- F. APPROVED FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR 10-01-ZC / 10-02-DA – JOHN BRAND – 757 E. SHORTLINE RD.
- G. APPROVED FINDINGS OF FACTS AND CONCLUSIONS OF LAW FOR 10-04-ZOA – TEXT AMENDMENTS – KCC 1-14 / KCC 5-1-6-2 / KCC 5-3-2.

5. **OLD BUSINESS:**

REQUEST BY KUNA DAYS COMMITTEE FOR FUNDING ASSISTANCE FOR SECURITY DURING THE STREET DANCE AND WAIVER OF FEES FOR VENDOR PERMITS (continued from May 18, 2010).

C/Cardoza supported the request but was concerned about the amount. He wasn't sure that the city should be providing assistance for the security. He preferred to see the donation used for the fireworks or some other part of the Kuna Day's ceremony. He suggested donating \$3,000 out of the Contingency Fund.

M/Dowdy asked if the documents provided by CT/Marsh showed how much was left in the Contingency Fund.

C/Hoiland answered it was \$21,400. He asked Chief Aldrich if the requirement for additional security just for the street dance.

Chief Aldrich responded that the additional security is based on the amount of people attending each event. In the past, they usually try to have 2 officers work Friday night for the fireworks. Because of the influx of people, they assist with traffic, security response calls in the park, any of those types of issues. The next morning 1 officer works in the park while the vendors are there to take any theft calls or calls stemming from that event. In the evening, there is a supervisor and 3 deputies to work the street dance. The street dance and fireworks are the biggest draws for Kuna Days and have the biggest impact on the services provided by the Kuna Police.

C/Hoiland clarified it was mainly for nighttime activities.

Chief Aldrich agreed that, with the exception of the 1 daytime deputy, the rest of the deputies are for nighttime events.

C/Hoiland inquired how this has been paid for in the past.

Chief Aldrich replied that the security had always been paid to the Sheriff's Office for by the Kuna Days Committee. Last year, some venues, specifically the cage fighting, did not pay the Kuna Days Committee; therefore, the Sheriff's Office was not paid.

C/Hoiland inquired if the city didn't provide funds for the additional security, what would happen to these events.

Chief Aldrich explained that, as part of the permitting process, the Sheriff creates a safety plan to ensure a private event doesn't negatively impact the city services that other citizens expect. If they don't have an approved safety plan, then special use permits, catering permits and other types of permits are not approved.

C/Hoiland asked if the Sheriff's Office instead of the city issues these permits.

The Chief stated that approval for catering permits is accomplished by either the Sheriff's Office or the Mayor. On larger events, the Mayor contacts the Chief and asks to have a safety plan in place to make sure there is consistency in service. ACHD signs the street closure permits also as well as the city and sheriff's office. ACHD usually doesn't sign off unless insurance and proper barricades are in place. There are multiple steps in the permitting process.

C/Hoiland asked what benefit has the City derived from paying these fees in the past.

P & Z D/Hasson said there was always a benefit when a community has something like this.

C/Hoiland further asked if in the past it has cost any additional expense to the city such as clean up or damage repair.

P & Z D/Hasson replied there is always some type of clean up, there is always some impact but generally these things are constructive and helpful.

CE/Law indicated that parks staff spent time last year repairing holes in the grass in the park. The grass had been extremely wet due to rain and vehicles in the park damaged it.

C/Hoiland reviewed the Contingency Fund and asked if the remaining \$21,000 is earmarked for anything. He expressed concern that the direct benefactors of this event seem to be are several of the establishments downtown. He stated that he felt more comfortable that the ones who benefit are the ones that pay. He couldn't justify the city subsidizing the profits of the downtown businesses.

C/Bachman understood C/Hoiland's standpoint. She said she considered that the economic impact that these business will get will benefit the community as a whole. The economic value surpasses the \$3,200 the Kuna Days committee is requesting. She didn't feel that would make or break the budget. It's the main event of Kuna every year. As far as waiver of fees for vendor permits, she wasn't sure how she felt about that yet. It was her understanding that the committee would still be collecting the fees from the vendor but not

passing them on to the City. She asked C/Cardoza why he didn't think the amount should go toward security.

C/Cardoza questioned Chief Aldrich if he could rearrange some of his deputy's schedules during the month to provide the services for that day. He asked if extra deputies were being pulled in.

Chief Aldrich responded that all vacation is canceled during that time to keep full staff. Full staff during the day is 1 officer; swing shift is 2 officers and 1 graveyard, a supervisor and himself. He plans to work that weekend also. There is too much of an influx of people for the small staffing to suffice. There aren't any grants available for this.

C/Cardoza further asked how many officers from Ada County are out there from 6:00 p.m. to 2:00 a.m.

Chief Aldrich responded that there should be anywhere from 5 to 9 in South Ada County.

C/Hoiland asked if a major incident occurred during those hours, the other deputies outside of the city could be called in to help.

Chief Aldrich stated that other deputies would be called in unless they are already on another call. Usually, deputies are good about coming by to help when staffing permits.

In response to C/Bachman, CC/Burgess confirmed that vendor permits are \$15 a piece per booth.

Hoss Grigg also explained that vendors pay a booth fee to the Kuna Days Committee ranging from \$100 to \$350 depending on the booth size.

C/Bachman asked if the permit fee goes into the general fund which is the same fund that we use to pay for repairs and clean up. That is part of the reason the city should keep the permit fees to cover that expense. She didn't know if last years costs exceeded what was collected from the permit fees.

CC/Burgess explained that park clean up costs are generally paid from the General Fund.

C/Cardoza added that Kuna Days has been in existence 50 years. It's one of the few highlights of the year and he hears from his constituents about the fireworks. Lloyd Stubbs is usually paid \$10,000 but puts on a \$15,000 firework display. He would like to put donate another \$3,000 and make the total \$7,000--it would be giving back to the community for an event that is family oriented.

C/Bachman asked C/Cardoza if he was suggesting adding more to the fireworks.

Hoss Grigg answered that there is \$7,000 now for the fireworks and an additional \$3,000 would bring the fund to \$10,000 for the display. He agreed that Lloyd Stubbs always adds to the show from his surplus. This year there isn't as much surplus and the reduction to \$7,000

from \$10,000 could shorten the show by 10 minutes. To reduce a 20 minute show by 10 minutes that people travel from all over the valley to see is a drastic change. Kuna Days isn't a benefit to just the downtown core, everybody benefits. Every donation goes into the same fund. He replied to C/Cardoza requesting to earmark the funds for fireworks but that's not possible.

C/Cardoza stated that looking back over the years, last year is the first time he has seen the city get stuck with a repair bill and that was from the rain.

M/Dowdy added that he isn't a voting member but as good as the event may be, he didn't think it's appropriate to fund money. It's the Council's choice. The Contingency Fund is basically an emergency fund, it's only at \$21,000 and usually they try to keep \$100,000 in the fund but this year it hasn't been possible. All of the entities that requested donations this year were turned down; all of them provide a service to the community. They were told there isn't enough money. The Kuna Days request is 32% and if the same was given to everybody else, that's \$13,840 which drops the Contingency Fund down to a little over \$7,000. Each are wonderful entities that do good things for the city. To give up the money for Kuna Days would be for a once a year party and he doesn't think government should be giving money away, this is the people's money. It should be looked at that way. He believed that it would be better to give money to the Boys and Girls Club. To do what C/Cardoza wants and give an additional \$3,000, that's \$7,200, which drops the contingency fund down to \$14,000 without giving money to anyone else. That is a tight line and he thinks there are better ways to use the funds than make a donation. He stated that it made him nervous to drain the Contingency Fund any further as an emergency could pop up and the city could find itself in a tough situation.

C/Cardoza indicated that there is \$21,436.62 and a figure of \$13,000 was stated by the Mayor, he asked where the other \$7,000 went.

M/Dowdy clarified that there is \$21,000 right now, if \$4,200 is given plus an additional \$3,000 that C/Cardoza is talking about giving for fireworks, that is a \$7,200 total. The \$13,000 is what would be left.

C/Cardoza stated that he suggested \$3,000.

M/Dowdy apologized; he thought the \$3,000 was in addition to the request.

C/Bachman, the original request was \$3,200 for security.

C/Hoiland asked if a dollar amount was calculated for a waiver of vendor permits.

Hoss Grigg said it was \$800.

C/Bachman stated that it's a tough decision to make. She thought they needed to be careful because of how little there is in the General Fund and the Contingency Fund but she felt that it is a great event which brings a lot of business to the city. A lot of the businesses rely on that increase in business.

C/Cardoza felt it is an event that a lot of people look forward to and by donating; it is giving tax dollars back to the people. He'd be willing to go down to \$2,000 if it would make Council more comfortable.

C/Bachman doesn't think \$1,200 makes a difference.

Moved by C/Cardoza seconded by C/Bachman to provide \$2,000 to Kuna Days out of the Contingency Fund. Motion carried 2-1-1 (C/Hoiland voted no, C/Lang absent).

6. CITIZEN'S REPORTS OR REQUESTS:

A. PRESENTATION BY CHIEF KODY ALDRICH REGARDING BUDGET REQUEST BY THE ADA COUNTY SHERIFF DEPARTMENT FOR FISCAL YEAR 2010-11.

Chief Kody Aldrich presented the fiscal 2011 staffing recommendations for the Kuna City Police. Based on the crime stats, there are a lot of good things taking place. The biggest concern has been the detective position and the need to get additional staffing. A detective can manage between 130 to 150 cases but it depends on the cases. Kuna averages well over 600 criminal cases and with staffing of 1½ detectives, the detectives are carrying very high case loads and still are not handling the cases coming out of Kuna. He reviewed the history of criminal cases per detective. Kuna City limit cases are handled by the County SRO's and detectives. The problem is that Kuna cases are not being handled by Kuna detectives and the school district has had cuts and the school SRO contract has been reduced. The number of officers per 1,000 residents in Kuna is .79. When compared to other Treasure Valley cities, Boise is at 1.4, Eagle and Star are contract cities with Ada County Sheriff's office also and then Garden City at 2.07. These cities are similar in size to Kuna. Meridian is at .97. Eagle is .81 and that is after the budget cuts. He asked to immediately restore the .5 detective position. When looking at needs, a third detective is needed. There is an option to restore the clerk because the number 1 complaint from citizens is that the office isn't open during business hours. Compared to the personnel costs for FY 2010, adding the .5 detective is very little change. The reason why is because the county has changed the way they have done some of the benefits packages and the savings the officers are realizing is being passed onto the contract cities. The increase in the vehicles is because they have added back in the unmarked vehicle rotation. Cars that should have been replaced the last 2 years haven't included unmarked vehicles. Operating expenses are about the same but that could go down based on changes in their lease. The shared services credit shows a drastic increase from 127,200 to 147,629. That is the Sheriff saying, if the city will pick up the cases that are their cases thus reducing the case load on the county detectives, it's beneficial. It's less of a burden on the Sheriff's office.

M/Dowdy acknowledged the 3 budget options but asked if there was a fourth option if the city decides not to restore the .5 detective or the other things. Would the budget stay the same as last year or is that not an option.

Chief Aldrich replied that the budget wouldn't stay the same because of personnel decreases. The budget is done based on a needs analysis; the .5 detective has to be restored to start handling the cases in the city. If there can't be an increase, he will look at other operating expenses because it's that important to get the .5 detective back. The city should be handling its own cases.

C/Bachman asked how the shared services credit is calculated.

The Chief explained that it was calculated on the workload and how it's shared. He offered to send an email with an explanation. Crime Analysis puts it together and calculates it. As personnel is increased, it increases the ability to help the Sheriff's office which then increases the credit.

C/Bachman asked what the percentage of the budget is the credit.

Chief Aldrich responded that the credit is 10%. It has increased from last year's credit which was based on population. The Sheriff's office re-evaluated how the credit was calculated because of budget cuts and the amount of time they assist with Kuna cases. Every city has the same formula. He confirmed for C/Bachman that they did drop their contract from 2.5 to 2 so there isn't the .5 detective available anymore.

C/Hoiland calculated that the .5 detective position increases by around \$15,000 or around 1%, the 1.5 detectives increases by \$100,000 or around 7% or 8%, the 2.5 is \$118,000 or around a 10% increase.

Chief Aldrich agreed. The .5 detective is needed to maintain service levels.

M/Dowdy thanked the Chief for his presentation.

B. PRESENTATION BY BEN HARMER, ADA COUNTY PROSECUTOR'S OFFICE, REGARDING BUDGET REQUEST FOR FISCAL YEAR 2010-11.

Mr. Harmer reported that the funding request for the next fiscal year would be \$49,209. The amount for the current year is \$38,082. He explained the new method of calculating fees developed by his office because the amount billed to the cities was not covering the amount of work they were doing on city cases. It takes more prosecutors than are being paid for to get the cases done. Of the total cases, 6.2% are Kuna cases for a total of 607 cases. That percentage was taken out of the total amount of salaries for the prosecutors that handle those cases and that is how the amount was determined. In the past it has been billed by hourly rate, that rate was below the amount of other attorneys in the office in the civil division. If they took the amount of hours billed for the Kuna cases last year, the request for the upcoming year would be \$84,672.50. The \$49,209 is a reduced method of calculation. In the past 4 fiscal years, the amount requested has increased each year but so has the number of cases. It has gone from 366 cases in FY 2007/2008 to presently 607. The cases being talked about are only the cases where a file is opened and the attorneys do work. Some cases handle themselves such as a speeding ticket that is paid. That money comes back to the city. When a

person pleads not guilty or an attorney makes an appearance those are the only cases being billed for. This cost is only for the amount of time the prosecutors spend based on salary.

C/Cardoza asked if the 607 cases are from Kuna proper or is it the zip code. He asked how it is distinguished those cases came from the city limits.

Mr. Harmer answered that the cases are within Kuna city limits and the statistics come from the Kuna Police Department.

M/Dowdy asked if Mr. Harmer knew they were all in the city limits. When the officers write a ticket, they check Kuna City but they are Ada County Deputies and they work outside the city limits also. Is it certain that the 607 cases are in city limits or that are coming out of the Kuna Police Department.

Mr. Harmer explained those that are checked on top. They rely on the police officers to know the city limits. He has not plotted them on a map.

C/Bachman questioned that the budget show 607 cases, in a different location it says 526 then to 659.

Mr. Harmer responded that 526 is the number of cases that were on the last year's contract when it was billed at \$38,082. The 659 is a typo and should be 607.

C/Cardoza calculated that the 607 and 659 equal 6.2% over 9,741 cases, should that 6.2% be changed to the amount of 607.

Mr. Harmer replied the 6.2% is based on 607 not 659.

C/Hoiland calculated that 607 cases and \$49,000 is around \$90 per case.

C/Bachman asked if Kuna funds 6.2% of the cases, are the other cities in Ada County contracted with and do they pay a certain percentage.

In response to C/Bachman, Mr. Harmer confirmed that they contract with Kuna, Eagle and Star. He stated that Eagle pays about the same but they were at 6.8% and Star is smaller.

M/Dowdy thanked Mr. Harmer for his presentation.

7. **NEW BUSINESS:**

- A. **ADOPT RESOLUTION NO. 21-2010 AWARDED BID TO LURRE CONSTRUCTION, INC. FOR THE BOISE/PORTER PI PIPELINE PROJECT IN THE AMOUNT OF \$277,578 AND DIRECT EXPENDITURE OF FUNDS FOR THE CONTRACT.**

CE/Law explained that the bid was broken into 3 pieces in case prices were way out of line and a piece could be dropped. He recommended awarding all three phases. Funding is partially from what was designated for the pipeline, partially from money designated for a master plan that wasn't needed and a small amount from Contingency funding. He explained that if Council didn't want to go that route, it would all come from the designation for the pipeline. The extra phase would be able to connect the pressure irrigation lines placed in and never connected.

Moved by C/Bachman, seconded by C/Hoiland to adopt Resolution No. 21-2010 awarding the bid to Lurre Construction, Inc. for the Boise/Porter PI pipeline project in the amount of \$277,578 in direct expenditure of funds for the contract. Motion carried 3-1 (C/Lang absent).

B. COUNCIL TO PROVIDE DIRECTION TO STAFF ON TREE PRUNING GRANT.

CE/Law explained that parks worker Natalie Reeder was approached recently regarding the availability of a grant for tree pruning or removal of dead or dying trees from a representative from the Department of Lands. Ms. Reeder prepared a list of potential trees and submitted it to the Department of Lands. The total estimated cost would be \$19,700. It is a full reimbursement grant with the exception that the city provides the management of the contractor and does the bidding. The city writes the check and then is reimbursed. He asked if staff should pursue the paperwork for the grant project for approximately \$19,700 to be reimbursed.

C/Bachman supported the grant.

CE/Law added that it can't be done with inside labor. The basis of the grant is to create jobs.

In response to C/Cardoza, CE/Law explained that his office would partially be involved in the grant application and bidding process but that Natalie Reeder and Bobby Withrow would prepare the specifications for trees and the basic conditions they want met. They would then invite responses from acceptable contractors for the work.

CE/Law indicated if Council agreed, the next document they would receive would be a proposed Memorandum of Understanding between the city and the Department of Lands.

C/Cardoza inquired what would happen if it came in over \$19,700.

CE/Law indicated that an item would have to be dropped to stay within the allotted amount.

In response to C/Hoiland, CE/Law stated that \$19,700 has been designated for Kuna. What isn't known is what the bids will be. The trees are on public property.

Council supported the concept and directed staff to apply for the grant.

C. PRESENTATION OF BUDGET VS. ACTUAL - CURRENT FISCAL YEAR-TO-DATE THROUGH APRIL, 2010.

CT/Marsh presented the actual totals for the year to date for each fund. He clarified that the annual budget is set each year and is very detailed and has a lot of research behind them so the numbers are very stout. It is the numbers that are broken down by month to arrive at the totals which are harder to predict.

	Rev vs Exp	Rev & Exp Net
General Fund:	\$160,000 Rev greater than Exp	\$265,000 better than budget
Grant Fund:	zero	No activity
Latecomers Fund:	\$186,000 Rev greater than Exp	\$186,000 better than budget
Juvenile Justice Fund:		\$560 below budget
Well Mitigation Fund:	\$9,000 Rev greater than Exp	\$3,181 below budget
Water Fund:	\$21,200 Rev greater than Exp	\$365,000 better than budget
Sewer Fund:	\$1.4 million Exp greater than Rev	\$1,000,000 below budget
LID Fund:	\$200,000 Rev greater than Exp	\$84,000 better than budget
Irrigation Fund:	\$308,000 Rev greater than Exp	\$220,000 better than budget
Solid Waste Fund:	\$13,500 Rev greater than Exp	\$13,000 better than budget
All Funds Netted:	\$486,000 Exp greater than Exp	\$58,000 below budget

CE/Law interjected that Parks has an effect on the both funds and the Latecomers Fund, all of the Latecomers Fund expenditures for August and most of September and for Parks they staff up to 4 times their winter staffing in the summer. The expenditures occur during the summer naturally.

CT/Marsh agreed and indicated that in the General Fund there are activities such as the ERP provided by Casselle that is not functioning properly and not giving the proper annual budget number. To avoid confusion, that was left out until it is fixed. There are numerous activities that make up the General Fund; for example, Parks is a cost center and generates about \$700 in revenue a year but expends several hundred thousand.

P & Z D/Hasson asked CT/Marsh to explain the \$58,000.

CT/Marsh explained the city as a whole was \$58,000 to the bad.

CE/Law asked if most of it was because of the LID payment.

CT/Marsh confirmed that it was. The Sewer Fund is the primary culprit and the primary line item is the \$1.3 million transferred to the LID fund which wasn't budgeted for. The way to resolve that is to do a budget appropriation amendment later in the year to carry over in the Sewer Fund if it is still a negative.

C/Cardoza said originally they were conservatively looking at a 13% reduction in sales tax revenue and asked CT/Marsh if he knew what the actual reduction is so far.

CT/Marsh replied that it is 6% lower than where it was originally projected. At this point there isn't a firm percentage decrease. Originally the decrease was projected lower than anticipated and it still wasn't enough. There will be one more sales tax sharing to the city and if there is an increase, it should be reflected in that payment.

C/Cardoza didn't think it would be a \$38,692 increase.

CT/Marsh agreed but felt there is a possibility.

8. **PUBLIC HEARINGS:** 7 p.m. or as soon thereafter as matters may be heard.

PUBLIC HEARING CANCELLATION: 08-01-PUD (DEVELOPMENT AGREEMENT)
– NAPA VINEYARDS

9. **ORDINANCES:**

- A. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS OF ORDINANCE 2010-06: AN ORDINANCE OF THE CITY OF KUNA, IDAHO, REZONING CERTAIN LANDS IN THE CITY OF KUNA, ADA COUNTY, IDAHO, NOW KNOWN AS PARCEL NUMBER R7880430010, 757 E. SHORTLINE ROAD FROM "M-1" LIGHT MANUFACTURING DISTRICT TO "C-3" SERVICE BUSINESS DISTRICT; AMENDING THE ZONING MAP OF THE CITY OF KUNA TO REFLECT SUCH CHANGE; AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Bachman, seconded by C/ Hoiland to dispense with full reading and three consecutive readings of Ordinance 2010-06. Motion carried 3-1 (C/Lang absent).

Moved by C/Bachman, seconded by C/Hoiland to adopt Ordinance No. 2010-06.
Motion carried by the following Roll Call vote:

AYES: Cardoza, Hoiland, Bachman
NOES: None
ABSENT: Lang

- B. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS OF ORDINANCE 2010-07: AN ORDINANCE OF CITY OF KUNA, IDAHO, ADOPTING TITLE 1, "ADMINISTRATIVE" CHAPTER 14, "DECISION MAKING

LAND USE AUTHORITY AND PROCESS BY APPLICATION”, AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Bachman, seconded by C/ Hoiland to dispense with full reading and three consecutive readings of Ordinance 2010-07. Motion carried 3-1 (C/Lang absent).

Moved by C/Bachman, seconded by C/Cardoza to adopt Ordinance No. 2010-07. Motion carried by the following Roll Call vote:

AYES: Cardoza, Hoiland, Bachman
NOES: None
ABSENT: Lang

- C. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS OF ORDINANCE 2010-08: AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, “ZONING REGULATIONS” OF CHAPTER 3, “GENERAL ZONING PROVISIONS”, SECTION 2, “OFFICIAL SCHEDULE OF DISTRICT REGULATIONS” AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Bachman, seconded by C/ Hoiland to dispense with full reading and three consecutive readings of Ordinance 2010-08. Motion carried 3-1 (C/Lang absent).

Moved by C/Bachman, seconded by C/Hoiland to adopt Ordinance No. 2010-08. Motion carried by the following Roll Call vote:

AYES: Cardoza, Hoiland, Bachman
NOES: None
ABSENT: Lang

- D. DISPENSE WITH FULL READING AND THREE CONSECUTIVE READINGS OF ORDINANCE 2006-101B: AN ORDINANCE OF CITY OF KUNA, IDAHO, AMENDING TITLE 5, “ZONING REGULATIONS” OF CHAPTER 1, “GENERAL ZONING PROVISIONS”, SECTION 6-2, “MEANINGS OF TERMS AND WORDS” AND PROVIDING AN EFFECTIVE DATE.

Moved by C/Bachman, seconded by C/ Hoiland to dispense with full reading and three consecutive readings of Ordinance 2006-101B. Motion carried 3-1 (C/Lang absent).

Moved by C/Bachman, seconded by C/Hoiland to adopt Ordinance No. 2006-101B. Motion carried by the following Roll Call vote:

AYES: Cardoza, Hoiland, Bachman
NOES: None
ABSENT: Lang

10. MAYOR / COUNCIL DISCUSSION:

M/Dowdy thanked everyone who participated in the event with the dunk tank. It was a fun event and there was a good turnout.

CE/Law reported that he was looking into helping citizens finance their connection fees to obtain pressurized irrigation in the downtown areas. He asked Council if they were still interested in financing the fees and having them paid monthly over a period of ten years as was discussed a year and a half ago.

C/Bachman questioned if it was discussed to extend repayment for ten years and if the property is sold, would the cost be passed on to the new owner.

C/Cardoza asked if the hook up fee was approximately \$1,600.

CE/Law said the fee was \$1,520. There was also a bigger item having to do with a subdivision wanting to talk about annexing into the city and having larger connection fees and construction costs that they wanted to recover and it would carry through. He asked for Council's feelings on the matter.

M/Dowdy asked if the city financed the money over time, could there be a lien against the property that would carry forward. He didn't think a property can have a lien placed on it for sewer. He thought it went to collections. A legal opinion would be needed.

CA/Roats indicated that he would meet with CE/Law to go over the particulars.

CA/Bachman would be interested in looking at it again to refresh her memory. She confirmed that originally there weren't enough people who wanted to participate to make it feasible.

CE/Law replied that was correct and that a threshold of 50% was needed in order for it be viable but 40% expressed an interest. He wanted to check that Council still wanted to look at this option.

C/Cardoza stated that some of the concerns his constituents have brought to him is that surface water isn't being shut off upstream and the excess water floods their basements. If the city could get away from surface water, it would save a lot of future problems also.

C/Hoiland confirmed that the property owner would only pay \$13-\$15 a month over 120 months, so it wouldn't be a heavy burden to pay the connection fee.

CE/Law answered that \$1,520 is a big bit and to allow payments would soften the edges.

C/Bachman asked if the connection fee would fund the connection from the main lines to their properties.

CE/Law stated that what he was told that there are service lines along those streets. He isn't sure about the property boxes but lateral services are there.

C/Cardoza asked CE/Roats about the contract the city would propose and if there could be a clause that upon the sale of the home the entire balance becomes payable and due to the buyer.

CA/Roats responded that the contract could be crafted with that provision.

CE/Law suggested that with the payment of a connection fee, the owner gets the right to be connected. If the connection fee isn't paid, there is the possibility to withdraw that right and that may be a deterrent enough for non-payment or in connection with a lien.

Council agreed they would like to look at the details of the proposal.

In response to C/Bachman, CT/Marsh indicated that the next budget meeting would be on June 28, 2010.

11. **ANNOUNCEMENTS:**

12. **EXECUTIVE SESSION** – None held.

13. **ADJOURNMENT:** There being no further business to discuss, it was moved by C/Bachman, seconded by C/Hoiland to adjourn at 8:52 p.m. Motion carried 3-1 (C/Lang absent).

LISA BACHMAN, COUNCIL PRESIDENT

ATTEST:

LYNDA BURGESS, CITY CLERK

DATE APPROVED: JULY 6, 2010